



IPW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 02-1031-A)

In re Application of:)
)
Engel, et al.)
)
Serial No.: 10/673,054) Examiner: TBA
)
Filed: September 26, 2003) Group Art Unit: 1645
)
For: Cell Lysis Composition, Methods of Use,) Confirmation No. 1228
Apparatus, and Kit)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

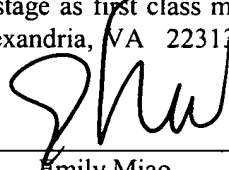
TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. 2nd Supplemental Information Disclosure Statement;
 - b. U.S. PTO Form 1449 and copies of 6 references; and
 - c. Return Receipt Postcard.
2. With respect to additional fees:

No fee is required.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28 day of June, 2004.

Date: June 28, 2004

By: 
Emily Miao
Reg. No. 35,285

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2nd SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449, copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Elsbach et al., U.S. Patent No. 5,489,676, issued February 6, 1996.
2. Hancock et al., U.S. Patent No. 5,593,866, issued January 14, 1997.
3. Vicik et al., U.S. Patent No. 5,760,189, issued June 2, 1998.

¹To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to undersigned.

4. Berg B. Hofsten AV., "The Ultrastructure of the Cellulolytic Bacterium *Cellvibrio Fulvus*.", *Can. J. Microbiol.*, March 1975, Vol. 21, No. 3, p. 386-391. (ABSTRACT ONLY)
5. Hancock, R.E.W., "Alterations In Outer Membrane Permeability", *Ann. Rev. Microbiol.*, 1984, Vol. 38, p. 237-264.
6. Lin, Jung-Hsin et al., "Stability of a Melittin Pore in a Lipid Bilayer: A Molecular Dynamics Study", *Biophysical Journal*, April 2000, Vol. 78, p. 1714-1724.

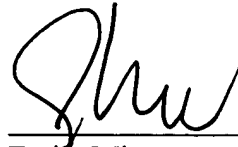
In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,


Dated: June 28, 2007



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Form-PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 02-1031-A	Serial No. 10/673,054
 <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p>		Applicant: Engel, et al.	
		Filing Date: September 26, 2003	Group: 1645

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date
	1.	5,489,676	02/06/1996	Elsbach et al.	536	22.1	02/26/1993
	2.	5,593,866	01/14/1997	Hancock et al.	435	69.7	12/20/1995
	3.	5,760,189	06/02/1998	Vicik et al.	530	412	06/02/1995

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

	4.	Berg B. Hofsten AV., "The Ultrastructure of the Cellulolytic Bacterium Cellvibrio Fulvus.", <i>Can. J. Microbiol.</i> , March 1975, Vol. 21, No. 3, p. 386-391. (ABSTRACT ONLY)
	5.	Hancock, R.E.W., "Alterations In Outer Membrane Permeability", <i>Ann. Rev. Microbiol.</i> , 1984, Vol. 38, p. 237-264.
	6.	Lin, Jung-Hsin et al., "Stability of a Melittin Pore in a Lipid Bilayer: A Molecular Dynamics Study", <i>Biophysical Journal</i> , April 2000, Vol. 78, p. 1714-1724.

Examiner	Date Considered
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.